T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

DATE:	1	11-Apr-05	APPL. S.N.:	09/877,04	<u>0</u>	
TO: EXAMIN	FR	PHAN, TRI	ART UNIT:	<u> 2661</u>		
		Jefferson, Henry	D.E.	TURN THIS MEMO TO	Case Drop-Off Locatio O:	
FROM:		LEGAL SPECIALIST	KL	TURN THE PARTY	JEF-2D68	
SUBJECT:		ision on Terminal Disclaimer (T.D.) filed: 21-Jan-05				
INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please initial, date and return this memo to me. THANK YOU.						
		ROPER and has been recorded (see ¶14.23).				
✓ The T	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24):					
✓	The TD fee of \$130.00 has not been submitted nor is there any authorization in the application file for the use of a deposit account					
	(see ¶ 14.26.07). The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. has not stated the extent of his/her interest (and/or the extent of the T.D. has not stated the the T.D. has not stated the the T.D. has					
	interest of the business entity represented by the signature) in all of providing the signature of the business entity represented by the signature of the business entities and the signature of the business entities are the signature of the business entities and the signature of the signature					
	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see ¶ 14.27.01).					
	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see ¶¶ 14.26 & 14.26.02).					
\checkmark	The p	erson who signed the T.D.:				
	✓ is not an attorney "of record" (see ¶ ¶ 14.29 and 14.29.01).					
has failed to state his/her capacity to sign for the business entity (see ¶ 14.28).						
	is	not recognized as an officer of the assignee (see \P \P 14.29 & possible 14	.29.02).			
	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶ 14.30).					
		Γ .D. is not signed (see ¶¶ 14.26 & 14.26.03).				
	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see § 14.32).					
	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.05).					
	The period disclaimed is incorrect or not specified (see ¶¶14.26, 14.27.02 or 14.26.03).					
	Othe	er:				
Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.						
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.						
Log Date:						
Ex. Initia		CD (5/08)	Routing Slip	Printed On: M	londay, April 11, 2005 10:31:38 AM	
Special Pr	ogram	Database, Version 2.1 (Rev. 5/98)				